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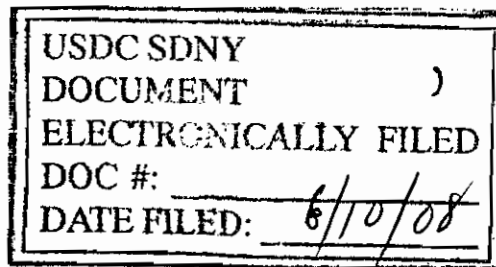
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June 9, 2008

VIA FACSIMILE // 212-805-7941

Hon. Loretta A. Preska
United States District Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St., Room 1320
New York, NY 10007



Re: Pena et al v. Daliza Pharmacy, Inc. et al, 1:07-cv-08427-LAP-KNF
Request for Pre-Motion Conference, Motion to Default Under FRCP 55(b)2

Dear Judge Preska:

We represent the Plaintiffs in the above-referenced matter. Defendants have yet to appear in this matter and are now in default. We write following today's status conference with Magistrate Judge Fox in which we informed him that we are prepared to seek a default judgment from this Court. Therefore, Plaintiffs respectfully request a pre-motion conference under Section 2(a) of the Court's Individual Practices so that Plaintiffs may seek leave to move this Court for a default judgment under Fed. R. Civ. P. 55(b)2 and Local Civil Rule 55.2(b).

We have now obtained a Certificate of Default from the Clerk of the Court in this matter, and are ready to supply sufficient factual information through (1) affidavits of the Plaintiffs, (2) affidavits of counsel, and/or (3) any other means that this Court should deem necessary to supply the necessary information to calculate damages and grant default judgment.

Further, Plaintiffs respectfully request any guidance the Court may grant at any such pre-motion conference as to the specific information the Court may find helpful in its determination of damages. We thank the Court in advance for its time and attention to this matter.

Very truly yours,

Michael A. Faillace

SO ORDERED

LORETTA A. PRESKA
UNITED STATES DISTRICT JUDGE

Counsel may proceed with the motion for a default judgment on liability. In all likelihood the Court will refer the damages inquiry to the assigned magistrate judge.

June 10, 2008